

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA	)	
	)	Case No. 1:92-CR-171
vs.	)	
	)	
HAROLD COX	)	JUDGE EDGAR

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on August 7, 2009, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for Warrant for Offender Under Supervision of U.S. Probation Officer Kevin Matherly and the Warrant for Arrest issued by U.S. District Judge R. Allan Edgar. Those present for the hearing included:

- (1) AUSA Mel Schwing for the USA.
- (2) The defendant HAROLD COX.
- (3) Attorney Mary Ellen Coleman for defendant.
- (4) Courtroom Deputy Russell Eslinger.

After being sworn in due form of law the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and he qualified for the appointment of an attorney to represent him at government expense. Attorney Mary Ellen Coleman of Federal Defender Services was appointed to represent the defendant. It was determined the defendant had been provided with a copy of the Petition for Warrant for Offender Under Supervision and the Warrant for Arrest and had the opportunity of reviewing those documents with Atty. Coleman. It was also determined the defendant was capable of being able to read and understand the copy of the aforesaid documents he had been provided.

Defendant waived his right to a preliminary hearing and detention hearing.

AUSA Schwing moved defendant be detained without bail pending his revocation hearing before U.S. District Judge Harry S. Mattice, Jr.

Findings

- (1) Based upon U.S. Probation Officer Kevin Matherly's petition and defendant's waiver of preliminary hearing and detention hearing, the undersigned finds there is

probable cause to believe defendant has committed violations of his conditions of supervised release as alleged in the petition.

Conclusions

\_\_\_\_\_ It is ORDERED:

(1) The defendant shall be appear in a revocation hearing before U.S. District Judge Harry S. Mattice, Jr.

(2) The motion of AUSA Schwing that defendant be DETAINED WITHOUT BAIL pending his revocation hearing before Judge Mattice is GRANTED.

(3) The U.S. Marshal shall transport HAROLD COX to a revocation hearing before Judge Mattice on **Monday, August 24, 2009, at 1:30 p.m.**

ENTER.

Dated: August 7, 2009

/s/William B. Mitchell Carter

UNITED STATES MAGISTRATE JUDGE